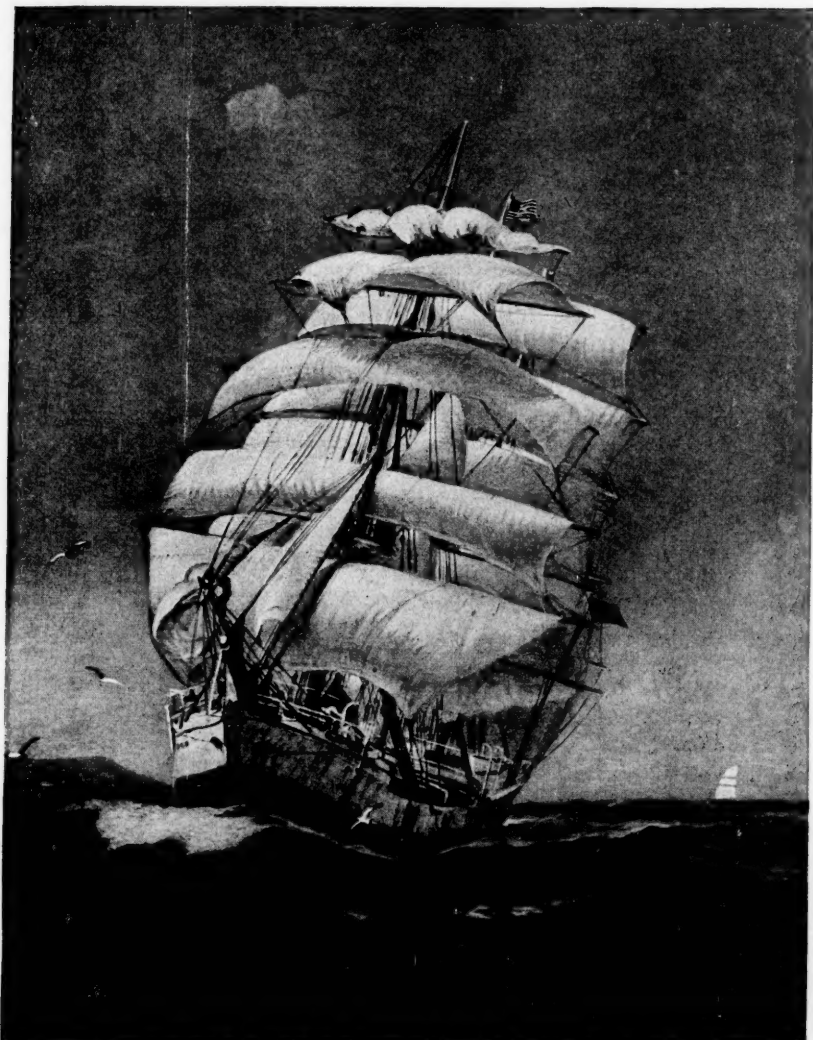


LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



"SAIL ON, O SHIP OF STATE!"

MONTAGUE DAWSON, ARTIST

ENCOURAGING RESULTS ARE NOW SEEN IN THE MODIFICATION
AND REPEAL OF ALL LAWS LIMITING THE RIGHTS OF CONSCIENCE
PROGRESS NOTED IN MANY STATES TOWARD LIBERALIZATION

TWENTY CENTS A COPY

WASHINGTON, D. C.



Religious Liberty Association

DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D. C. (secretary, C. S. Longacre; associates, H. H. Votaw and M. C. Taft), or any of the affiliated organizations given below:

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Central States Religious Liberty Association (affiliated organizations in Kansas, Nebraska, Missouri, Colorado, Wyoming, Iowa, Minnesota, and North and South Dakota): Office, 4547 Calvert St., College View, Lincoln, Nebr.; Sec., J. F. Piper.

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Philippine Island Religious Liberty Association: Office, Box 813, Manila, Philippine Islands; Sec., E. M. Adams.

LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

VOL. XXVIII, NO. 3, THIRD QUARTER, 1933

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FOREFATHERS' MONUMENT, PLYMOUTH, MASS.

On the front of this monument is this inscription:

"National Monument to the Forefathers, erected by a grateful people in remembrance of their labors, sacrifices, and sufferings for the cause of Civil and Religious Liberty."

This is a case in which men builded better than they knew. They sought liberty only for themselves; others went beyond them, and asserted liberty for all men.

No Sunday Laws in Wisconsin

o

**Popular Referendum
Gives Repeal Mandate
to Legislature, Which
Acts Favorably**

o

**Repeal Bill Signed by
Governor Schmedeman**

o

THE Wisconsin State Legislature repealed every Sunday law which was still existent upon its statute books during the last session of the legislature. The repeal bill, passed by the legislature, was signed by Governor Schmedeman just a year after the people of Wisconsin had given a mandate to the State legislature by a popular referendum to repeal the existing Sunday laws of the State. The majority in favor of repeal was 124,650 votes.

The Sunday laws were very drastic, and for many years they were only partially enforced, and then only in a few localities where the religious sentiment dominated the public officials. It was unlawful for anybody to attend or to participate in a ball game, to go to a theater, or participate or "be present at any public diversion, show, or entertainment, or take part in any sport, game, or play on the first day of the week." All traveling on Sunday on horseback or by automobile was forbidden. All work and business, except that which religion permitted, was forbidden on Sunday.

The law was being violated every Sunday. It was breeding disrespect and contempt for all law and authority. It was



THE
REIERSON
STUDIO

Wisconsin
State Capitol

so strongly flavored with religion that it did not prohibit a single criminal act on Sunday, but only those things which religion forbids being done on the Sabbath day. The Sunday law was religious and religious only, as all Sunday laws are; and the good people of Wisconsin believed the time had come to repeal all its religious laws, and thus separate the church and state in fact, and not in theory only, granting complete religious freedom to all citizens under the constitution.

The cause of religious liberty scored a great victory when all the religious laws of Wisconsin were repealed. It means that it will be impossible to carry on longer any religious persecution under the laws of that State. All religions and all citizens of the State now stand on an equality before the civil law and the bar of justice. The nonprofessor of religion will no longer be compelled to act as if

he were religious on Sunday, while he is not so in heart. It will do away with the making of hypocrites by law. It will permit every citizen to follow the dictates of his own conscience, without interference on the part of the State. The seventh-day Sabbatarian will no longer have to appear in civil courts to prove that he conscientiously observes another day than Sunday as holy time, in order to be allowed to work on Sunday. It means that the citizens of Wisconsin really live in a free State, which no longer attempts to interfere with the free exercise of the conscience in religious matters, and that the State refuses to give legal sanction and support to a peculiar mode and form of worship.

There are now five States in the Union which have repealed their Sunday laws, namely, California, Oregon, Arizona, Wyoming, and Wisconsin. California repealed all its Sunday laws just fifty years ago. Several attempts have been made by a group of militant political clergymen to have them re-enacted by legislative act and by referendum, but every such effort has been defeated either by the State legislature or by popular referendum. Just three years ago the last referendum was held in California to have the Sunday laws placed back upon the statute books, and the verdict of the people was so decisive that the proposition was turned down by a majority of more than 750,000 votes.

Oregon repealed its Sunday laws by a popular referendum vote. Arizona got rid of its Sunday laws by a decision of the Supreme Court of the State, on the ground that it was class legislation and therefore unconstitutional. Wyoming repealed all its Sunday laws last year by act of the State legislature. Wisconsin repealed its Sunday laws by referendum and an act of the State legislature.

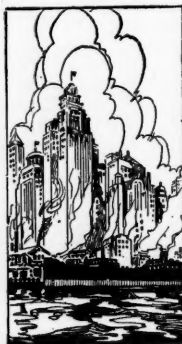
All the States in the Union, with the exception of Vermont, Delaware, South

Carolina, Mississippi, and Arkansas, allow the municipalities and political divisions of the State to modify, liberalize, or repeal a part or the whole of the Sunday laws by legislative act or by popular referendum. As a result of these privileges granted to local communities, most of the municipalities in these local option States have either liberalized or repealed the Sunday laws so far as they affect those local communities.

The prevailing sentiment in the States is in favor of religious liberty. How long this sentiment will predominate is difficult to determine. We find that the pendulum of sentiment swings from one extreme to the other. Some predict that the conservative element is now on the defensive, and that it will not be long until the religious forces will take the aggressive, and will undo all that is now being done to separate the church from politics. One thing is evident, that if the ecclesiastical forces again get control of the government so as to influence and dictate its legislation, religion and all its usages and customs will be enforced with a vengeance. That has been

the history of the past, and history never fails to repeat itself. It is too bad that a permanent solution cannot be found for this perplexing problem. "Eternal vigilance is the price of liberty."

C. S. L.



ROBESPIERRE defined liberty thus: "Liberty is the power which of right belongs to every man to use all his faculties as he may choose. Its rule is justice; its limits are the rights of others; its principles are drawn from nature itself; its protector is the law."

I did not regret having braved public opinion when I knew public opinion was sure to be merciless.—*Horace Greeley.*

A Religious but NOT a Civic Sabbath

UNDER the heading, "Text and Pre-text," in the *Atlanta Constitution* of February 19, 1933, M. Ashby Jones seeks to draw a distinction between a "religious" Sabbath and a "civic" Sabbath. For consideration of our readers and some later discussion of the points presented, we offer the full article:

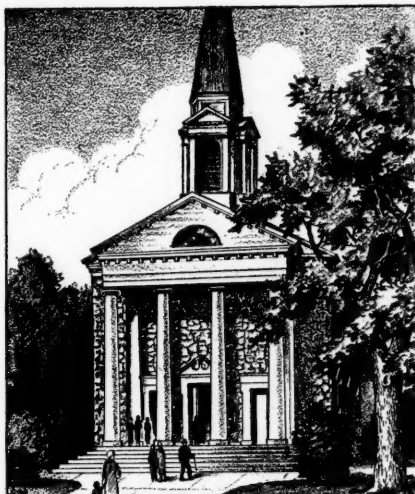
"Judging by the reports of the discussion of the proposed revision of the Sunday laws, before a committee of the Georgia Legislature, no distinction was made between a 'religious' and a 'civic' Sabbath. For example, one resolution which was read in opposition to the change, was based on the claim that the liberalizing of the law would be 'contrary to the law of God.'

"To my mind it is vital to the welfare of both religion and democracy, that we should keep this distinction very clearly in mind when we are considering any legislation which seeks to regulate the observance of any day.

"Religion and Democracy

"At the very heart of our American democracy is the principle of 'religious freedom,' which carries with it a clean-cut separation of church and state. In one form or another, our Federal and State constitutions forbid our legislatures' making any laws for the enforcement of any religion. To seek to regulate the conduct of a citizen in any way whatsoever by a State law, on the ground that it was a 'law of God,' would put the State in the position, first, of enthroning a God, and then assuming the office of interpreting His laws. For the State to officially recognize any day as a 'religious' day, and then by statute seek to regulate the conduct of its citizens in conformity with its religious commands, would, to that extent, be the adoption by the State of a special religion, and the coercion of its citizens to obey its authority.

"So the effort to have the State enact any laws for the regulation of the citizen's conduct on Sunday, on the ground that it is a religious



day, is an effort to rob him of his religious freedom. In addition to violating this sacred principle, the establishment of any one day by the State, as a day sacred to religion, presents the most delicate and difficult decisions. Some of our Christian denominations might wish to make 'Good Friday' a sacred day, according to 'the law of God,' and regulate our conduct in harmony with their ecclesiastical observances. Our Jewish friends, together with the Seventh-day Adventists and others, would have the entire argument from the Bible on their side, if they should demand that Saturday should be legally named as a day sacred to religion.

"But the effort to force people to observe Sunday as a religious day is a violation of the very genius of Christ's religion. As I interpret His religion, it is essentially voluntary. Only that which one believes, says, and does, of his own free will, has any religious value. Again, all of its observances, as taught by Him, must be subordinated to the welfare of human life. When challenged Himself as a Sabbath violator, He answered: 'The Sabbath was made for man, and not man for the Sabbath.' Is it not clear that we who would sincerely be led, in this and in all other decisions, must look, not to the State, but to the light of His Spirit, for guidance?

"Social Legislation

"This leads me to say, however, that the State, without claiming any religious authority, is under obligation to legislate for the social welfare of its citizens. From this standpoint, it may well regulate the hours and conditions in which men are compelled to labor. Thus Sunday, or Monday, might be set aside as a legal holiday, and on that day citizens might legally

be prohibited from forcing other citizens to work. This is done on the ground that the experience of the race has shown that a Sabbath relief from toil is for the welfare of society. This principle, however, does not carry with it the right of the State to regulate the conduct of the individual, but simply forbids his inter-

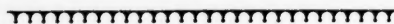
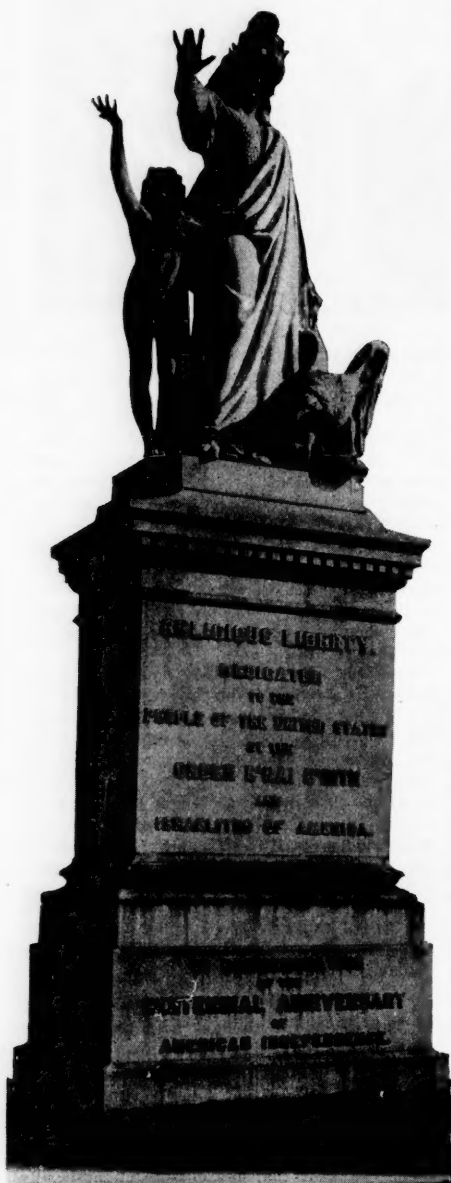
fering with the leisure rights of others. So I am insisting that the State has a right to establish a 'civic' but not a 'religious' Sabbath.

"This Sabbath-day discussion has nearly always raged around the question of amusements. Many good people sincerely believe that it is wrong to play on Sunday. Others seem to place a religious 'taboo' only against certain kinds of play. Others, still, think that a game which is all right on Monday, is all right on Sunday. Surely the legislature is not the place for this question to be decided. Each church must deal with this question according to its religious standard and its church polity.

"When any form of amusement, however, seeks a license for commercial purposes, the State must then deal with it on the basis of its social and economic value, or hurtfulness, to society. If we have a 'civic' holiday on Sunday, then the commercial enterprise which seeks to do business on that day should be required to justify its appeal, on the ground of its contribution to the civic welfare.

"Here we are dealing with the 'civic' Sabbath."

With much of the foregoing we are in complete agreement. It would be difficult to state in more terse, forceful terms some of the great principles for which our nation stands. It is fully recognized that American democracy carries as a cardinal principle the separation of church and state. Religious freedom is set forth as our rightful heritage. That any attempt to enforce religion by the civil power is not only a violation of Christianity itself, but of Constitutional guaranties, the writer freely admits. Having done this, however, he falls into the grave error of endeavoring to bring forth a civic sabbath divorced from religion. There can be no such thing as a "civic" sabbath, any more than there can be a "civic" baptism or a "civic" Lord's supper. The very idea of the Sabbath has its basis in religion. The Sabbath means more than physical rest. It has a spiritual significance. If the idea of "Sabbath" is carried into any civil legislation, it is bound to result in denying complete religious



This Statue to Religious Liberty Was the Work of the Late Moses Ezekiel, a Distinguished American Sculptor. It Stands in Fairmount Park, Philadelphia.



© TABER FRANG

RUMPEL, ARTIST

"The Sabbath was made for man, and not man for the Sabbath." This was Christ's reply to the Pharisees who accused His disciples of breaking the law when they ate a little grain in passing through a wheat field on the Sabbath day. In conclusion He said, "Therefore the Son of man is Lord also of the Sabbath."

freedom to some members of the community, and must lead the State to give its approval to one day above another as a day of rest. Such discrimination is unfair, and we believe unconstitutional.

As a matter of simple fact, it has never been proved that one day out of every seven for physical rest is absolutely essential to the welfare of mankind. We personally believe that for mental and cultural development it is well for man to have at least one day in the week free from the ordinary toil of the working day. Just as soon, however, as the State specifies a particular day, somebody's liberty is endangered. Just as soon as the State tries to enforce observance of such a day, persecution results.

If Mr. Jones would contend that all who toil should be given twenty-four consecutive hours in each and every seven days, without attempting to name the day or tell at what hour the period should begin and end, less objection could be offered to his plea or his argument. But such a day is in no sense a "Sabbath" according to the well-recog-

nized meaning of that term. How the individual shall spend his time on his day of rest must be left entirely to his judgment, so long as he does not interfere with the peaceful pursuits of others.

If it be urged that men must be compelled to rest—refrain from work, from business, and from amusement—one day out of each week, and that the State has a right to do this, it is sufficient to reply that the State should then have the right to compel a man to remain in bed a given number of hours. While physicians admit that there is much difference in individuals concerning the amount of sleep needed, it is agreed that the average man should have from seven to eight hours in bed each night. Of course no court in the land would support legislation so absurd. We doubt whether any would uphold a law which provided that no one could work more than a fixed number of hours out of twenty-four. (Laws are in force in some places limiting the hours that may be spent each day in certain kinds of labor,

(Concluded on page 92)

A Step Toward Religious Liberty

Municipalities of New Jersey Soon to Vote on Liberalizing of Most Drastic Sunday Law

NEW JERSEY has one of the most drastic sets of Sunday blue laws of any State in the Union. Under the Act of 1704, which was originally passed by the early colonists in 1693, no labor or business of any "worldly" nature was allowable on Sunday. All "sports, pastimes, or diversions," "any interludes or plays, dancing, singing, fiddling, or other music for the sake of merriment," are prohibited under the present Sunday law. Even traveling on Sunday is restricted to "going to or returning from any church or place of worship, within the distance of twenty miles."

For years, the militant clergymen of New Jersey, aligned with the Lord's Day Alliance, have resisted every effort to repeal or liberalize these drastic Sunday laws. But during the last session of the legislature, the Alliance lost its strangle hold on the legislators. The popular demand for a more liberal Sunday law was too strong for the Alliance to overcome. The legislature threw off the yoke of the Lord's Day Alliance, and refused to be dominated by it any longer. In fact, they took the Alliance at its own word, which had repeatedly asserted that the popular demand was for the retention of the Sunday laws. The legislators said: "Very well, then, if the popular demand is in favor of the retention of the Sunday laws, as the Alliance asserts, we will submit the blue law issue to the people on a popular referendum, and if the Alliance is correct, it has nothing to fear."

But immediately the Alliance turned turtle, and opposed the referendum; and as soon as the Alliance began to blow hot and cold on the popular sentiment ques-

Labor
Business of Worldly Nature
Sports
Pastimes or Diversions
Interludes or Plays
Dancing, Singing, Fiddling, or
other Music for Merriment, etc.

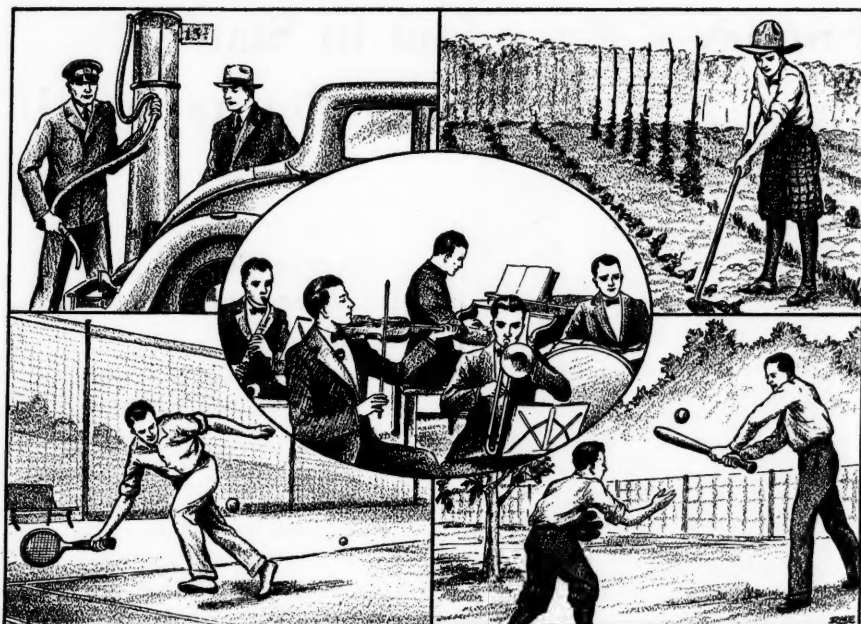
All Prohibited by Present Sunday Law

tion, the legislators lost faith in the claims of the Alliance, and voted to submit the Sunday laws to a popular referendum, and granted the municipalities authority to discard the blue law restrictions and liberalize Sunday recreational activities.

If the referendum carries in the municipalities of the State of New Jersey, it will be lawful thereafter to play baseball, to operate motion pictures, to sell newspapers, to deliver milk, to travel by train or automobile. The present law forbids all travel except "going to or returning from church" on Sunday.

Senator Emerson Richards, senate president, sponsored the bill, and after it passed both houses of the legislature, Governor Moore signed it on April 12. The people in the municipalities of New Jersey will soon be given an opportunity to repeal some of the worst features of this archaic, un-American and un-Christian law. It is a step toward religious liberty, a move to complete the plan of separating church and state in New Jersey.

The LIBERTY magazine and the Religious Liberty Association have contributed their share to the campaign for a complete separation of church and state, and the repeal of the Sunday blue laws



Just a Few of the Acts Prohibited by the Present Law of New Jersey

which have been a blot upon the fair name of a free State. The sooner all these religious laws are repealed, the better it will be for the cause of true religion, which never seeks any aid from the state to enforce its religious dogmas.

Jersey City has already held its referendum, and more than 90 per cent of the voters of that municipality voted in favor of the repeal of the Sunday laws which were submitted to them. If every section of the existing Sunday laws of the State had been placed upon the referendum, the entire Sunday law would have met the same fate at the hands of the public. Our State legislators are afraid, as a rule, to go to the full length of entire repeal for fear they might fail. But five States have demonstrated that the people are ready to go all the way in repealing all the Sunday laws. If one section of a Sunday law is wrong in principle, they are all wrong. Religious legislation is never justifiable when it seeks the legal arm of the State under the penal codes to

impose its tenets and observances upon the citizens of the state.

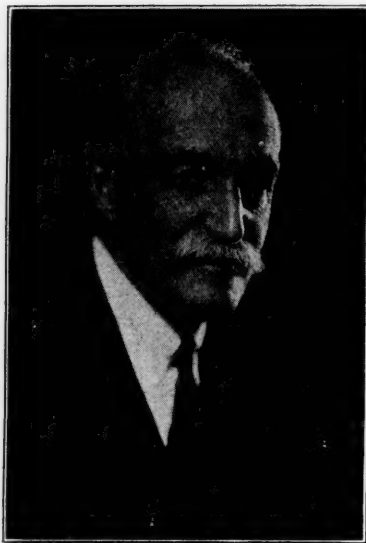
It is most unfortunate that clergymen are not content to preach the gospel, but resort to legal means to impose their religious views upon dissenters. Christian charity toward dissenters and non-conformists is always a minus quantity among the clergy who resort to compulsory Sunday observance laws.

What a happy world this would be if all men lived up to the golden rule. A religious legalist knows nothing about equality of rights and privileges before the law of justice. His ideas on religion alone are right, and all that differ are wrong. He is so sure he is right that he feels justified to go to the State legislature and have his ideas incorporated into law and forced upon all others.

New Jersey is now attempting to throw off this ecclesiastical yoke of Puritan bondage. But this question will never be settled in New Jersey until it repeals all its religious laws on the statute books.

C. S. L.

Sunday Referendum in State of Pennsylvania



His Excellency, Gifford Pinchot

Governor Pinchot Signs Bill Permitting People to Decide

□

that he had not yet made up his mind whether he would sign or veto the bill.

The Lord's Day Alliance had summoned a strong array of political preachers for a secret conclave with the governor, during which they urged him to veto the bill. The officers of the following organizations appeared in opposition to the bill before the governor: The Lord's Day Alliance of Pennsylvania, Pennsylvania Council of Churches, Pennsylvania Women's Christian Temperance Union, Pennsylvania Christian Endeavor Society, Sabbath Association of Western Pennsylvania, National Reform Association, Presbyterian Synod of Pennsylvania, Philadelphia Sabbath Association, Dauphin County Sabbath School Association, Young Men's Christian Association of Pennsylvania, Pennsylvania Baptist Ministers' Union, Pennsylvania State Grange, Women's Legislative League of Pennsylvania, Farm Women of Pennsylvania, Religious Society of Friends, Constitution Defense League, Patriotic Order Sons of America, Knights of Malta, Fraternal Patriotic Americans, Dames of Malta, Sons and Daughters of Liberty, Order of Independent Americans, Pennsylvania Baptist Men's Council, Young Women's Christian Association of Harrisburg.

Letters were sent to Governor Pinchot by practically all the religious leaders of the State,—Dr. M. I. Twombey, presi-

A BILL was introduced into the Pennsylvania Legislature to grant to the political subdivisions of the State a referendum on the repeal or liberalization of the Sunday blue law of that State. After a vigorous fight between the liberal element and the political preachers, the bill passed both houses of the legislature by constitutional majorities, and was signed by Governor Pinchot on April 25, permitting the people of the State to decide by local option whether or not they desire baseball and football games on Sunday.

For more than thirty years the present editor of the *LIBERTY* magazine has appeared before the legislative committees of the Pennsylvania Legislature, favoring the repeal of the Sunday blue law of 1794. He had the honor of speaking before Governor Pinchot at the final hearing on April 18, jointly with Hon. Louis Schwartz, author of the repeal bill, and Hon. William Roper, councilman of Philadelphia. Governor Pinchot stated

dent of the Baptist State Convention; Rev. Burton C. Barrett, executive secretary of the Baptist State Convention; Bishop E. G. Richardson, of the Methodist Episcopal Church, and a long list of others. Every county in the State sent letters and petitions to the governor, and ministerial groups all over the State joined in the protest against the Schwartz bill.

They argued that if he should sign the bill, it would serve as an entering wedge for the repeal of the entire Sunday observance law. The governor graciously granted the proponents of the bill an equal amount of time to be heard as he did to the opponents. Evidently the repealists made the more favorable impression, and presented the most convincing arguments, or the governor would not have signed the bill granting the people the right to determine for themselves what laws should govern them.

Governor Pinchot is a champion of popular government, and he could not consistently deny the people the privilege of expressing their wish on the subject of the repeal or retention of the Sunday blue laws, even though he were personally in favor of the retention of the Sunday laws.

The *Pittsburgh Press*, in an editorial of April 27, says:

"In signing the Schwartz bill, Governor Pinchot issued a statement that was a stinging rebuke to the small minority that heretofore has blocked amendment of the blue laws."

The *Press* quotes the governor as follows:

"In a State which has Sunday trains, Sunday concerts, Sunday golf, Sunday tennis, and a host of Sunday activities of many kinds, the

possible addition of baseball and football . . . will not seriously change the present picture.

"For years any one with money enough to play golf or tennis on Sunday morning or afternoon has been free to do so, law or no law.

"This unjust discrimination in favor of the rich and against the poor, which has thus existed, is one of my strongest reasons for signing this bill.

"We are urged not to abandon the Puritan sabbath. As a matter of fact, the Puritan sabbath in Pennsylvania was abandoned generations ago. We have gone a long way since the time when it was illegal for a man to kiss his wife on Sunday. Compared to the changes already made, the question of restricted football and baseball in each locality is insignificant.

"The Bible specifically lays down the principle that the Sabbath is made for man, and not man for the Sabbath. I believe that principle is wide enough to cover healthy outdoor recreation on Sunday afternoons."

The *Greensburg Morning Review* of April 27, in an editorial says:

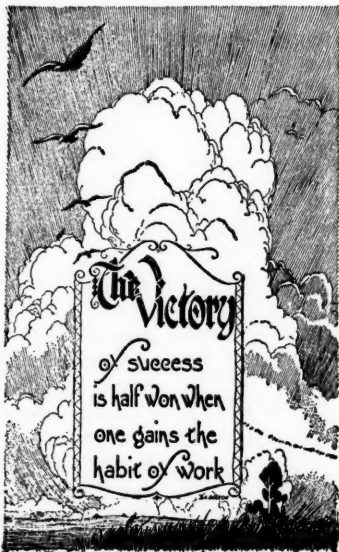
"The most surprising thing, to the churchmen at least, was the action of Governor Pinchot in signing the Schwartz bill. They had long looked upon him as a rigid upholder of the blue laws, and had come to feel that he could be depended upon to be in their corner in a pinch.

"But apparently the governor has had a change of heart on the blue law question. . . . Regarding those who opposed modification of the blue laws to the last ditch, he said: 'I respect their sincerity; I admire their fidelity to their convictions; but I am not able to follow them in their case. I can only ask those who differ with me

to respect my convictions as I respect theirs.'"

This victory was not won without a terrific struggle with the militant religious forces before the legislative committees in the legislature. At the hearing before the senate committee, the legislative representative of the Lord's

(Concluded on page 90)



Give Americans Their Liberties

Let's Get Away From Bigotry

THE Rev. Herman Bielenberg, pastor of the Christ Evangelical Lutheran Church of Oil City, Pennsylvania, took issue with the Rev. William Forney, of the Lord's Day Alliance of Pennsylvania, and with William W. Roper, former Princeton football coach, now a councilman of Philadelphia, on their attitude relative to the disposition of the Pennsylvania Sunday laws. Reverend Forney disapproved even a modification of the Sunday blue laws, while Mr. Roper favored a liberalization of the Sunday law of Pennsylvania. Reverend Bielenberg insists there is a "third side" to the Sunday law issue. He presents it as follows:

"A third side there must be to this interesting triangle.

"It seems to be the general impression that the churches are unanimously supporting the blue laws. The public should be disillusioned, and should hear that there are actually ministers, church members, and church bodies who have never supported the blue laws, and are opposed to any manner of religious legislation. Neither I nor my church, nor the church body to which I belong, have at any time supported or advocated Sunday laws. (I belong to the Synodical Conference of the Lutheran Church, with a baptized membership of 1,424,264.)

"I am definitely for the repeal of the blue laws. They are unfair, unchristian, antiquated, intolerant, and unenforceable.

"I heartily disagree with Rev. William Forney, of the Lord's Day Alliance. It is a matter of individual conscience whether a man wishes to observe Sunday or any other day. All Americans should be free to spend Sunday as they please, providing they do not interfere with their neighbor's rights. The man who wants to worship should be permitted to worship. The man who does not wish to worship should be free to spend Sunday as he pleases. You can't force a man to be religious by law. You can't legislate a man into heaven. It is a basic error from a Christian or American standpoint to attempt this.

"I disagree with the opinions expressed by

SAYS A LUTHERAN MINISTER

Mr. Roper only because he does not go far enough. Why place any restriction on Sunday sports? Can you give one valid reason for it? I confess that I am heartily sick of attempts to force religious convictions on men who have

none. Christ's method was one of persuasion and not coercion. Many good and honest citizens worship on Saturday. Why shouldn't they be free to do on Sunday what we do on Saturday? Surely open stores, open movies, open ball parks, open gas stations, will not interfere with Christian worship! What reason have Christians, then, to demand that these be closed? What apology can they offer for unwarranted interference with other men's innocent pleasure? . . .

"Repeal the blue laws. Give Americans their liberties, to which they are entitled. Let's get away from the bigotry which says, 'Let my conscience be your guide.'"

With the above sentiments expressed by Reverend Bielenberg we are in full agreement. We are glad to know that the Missouri Synod of Lutherans is not the only Lutheran organization which is opposed to Sunday laws. We have just learned that the Evangelical Lutheran Synods of Wisconsin, Minnesota, Michigan, and other States have frequently and publicly gone on record against Sunday laws. In fact, all Lutheran bodies connected with the Lutheran Synodical Conference, which includes not only the English but the Norwegian and the Slovak Evangelical Lutheran Synods, are strongly opposed to Sunday laws and the teaching of religion in the public schools.

BONDAGE

Let MY Conscience
Be YOUR GUIDE

It certainly is encouraging to know that there are millions of good, sincere Christians who observe Sunday from choice, but recognize the fundamental principle that this religious institution should not be enacted into civil law and forced upon any one under duress of the civil magistrate.

Maryland Blue Laws Invoked

A WASHINGTON lawyer whose lease expired on Sunday rented new quarters in Somerset, a suburb just across the city line in Maryland. He made an earnest effort to have his goods moved on Saturday, April 29, but failed in his attempt. So he engaged three laborers to move his goods on Sunday, April 30, from the city of Washington to his new home. These three men, hard-working, honest men, who are having a difficult task to earn sufficient to keep the wolf from the door, were arrested and bound for court trial under the Sunday blue laws of Maryland. These Maryland blue laws are so antiquated that they forbid everything on Sunday except religious activities.

The Washington *Daily News*, under the caption, "Bigots, Blue Laws, or Freedom," gives the following from various correspondents:

"Those responsible for the prosecution (and persecution) of people for Sunday activities must feel proud of themselves. Fine business, indeed, this effort to make everybody observe the puritanical sabbath."

"While they are at it, what about the Indian who was charged with the crime of selling beads on the sabbath? . . . He was arrested in southwest Washington. Since when has it been unlawful to peddle beads or anything else on Sunday? Let's have an

FREEDOM

**Follow the Dictates
of YOUR OWN
Conscience**

THIRD QUARTER

end to these asinine blue law restrictions, once for all."

"It would be interesting to know just what is behind the action of the man in Rockville [Maryland] who instigated the arrest of three workingmen for moving furniture on Sunday. Was it merely over officiousness and the psychology of a snoop and neighborhood nuisance? Or was the Lord's Day Alliance and its brother under the skin, the International Reform Federation, back of it?"

"Things have come to a pretty pass when a man has to be arrested, hauled into court, and put on trial like a vicious criminal, because he moved a neighbor's furniture on Sunday. We thought we were rid of blue law enforcement."

"Every time people grow overconfident and think they are sure of their freedom, they get a rude awakening, and something happens to prove that the struggle for liberty is not over. . . .

"As is generally the case, workingmen—poor men who live by hard labor—had to be the victims."

Why should honest and upright men be arrested and tried before courts for doing on Sunday what is perfectly civil, honorable, and legitimate under the civil laws of the State on the other six days of the week? The only answer to that question is that the State of Maryland is enforcing religious obligations under the duress of the civil magistrate and denying freedom of conscience in religious matters to its citizens.

A bill was introduced in the State legislature of Maryland during its last session, granting the privilege to the citizens of Montgomery County, Maryland, to repeal or liberalize these drastic blue laws under which these three men are now suffering a gross injustice. But Senator Hilton, from Montgomery County, pigeonholed the bill for repeal, after it was passed by the House of Representatives, thus denying the citizens of Montgomery County the prerogative to express their wishes upon the Sunday law issue. As long as religious laws are retained upon the statute books, the people will have to suffer religious persecution at the hands of cranks and religious fanatics. Religious liberty is impossible where religious laws are invoked.

C. S. L.

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J. C. ALLEN & SON

"Those who are suspicious that an educational system which simply does not teach religion, but for sufficient reasons leaves it to be taught elsewhere, is and must be hostile to religion, pay a very poor compliment to the thing they are so anxious to preserve."

The Bible and the Public Schools

Can a Democratic
Government Teach
Religion?

Is It Godless
When It Refuses?

*Excerpts From a Work
By Dr. Samuel T. Spear*

ONE of the arguments commonly used as a reason for including religious teaching in the public schools, is that unless religion is taught, the schools are godless. Such reasoning is fallacious. Public schools supported by taxes levied upon all the people cannot rightly teach religion, nor legally oppose any creed. The fact that the school does not give religious instruction offers no proof of its hostility to religion. It but shows its absolute neutrality. The school could not favor one creed above another without doing an injustice to both. To involve the public school system in reli-

gious matters would invite contention among its patrons. Only by a complete separation of religion from everything that pertains to civil government, can each citizen be assured of complete freedom of conscience. We commend to our readers the following arguments found in a work, "Religion and the State," by the late Dr. Samuel T. Spear:

"The public school, as the instrumentality of an American State, whose creature it is and for whose purposes and by whose authority it exists, is sufficiently explained and justified by being patterned after the State. There is nothing in it more dreadful than there is in the State itself. If the people can be content to live under the one, they ought to be content with the other. In having no religious system to teach and in denying no such system, it fairly represents the State—not the Christian or the infidel, the Protestant or the Catholic; but a State that in its organic being has no religious creed and no rule or form of worship. It is all that such a State can make it in consistency with its fundamental principles. A theocratic State might go farther, but a democratic State cannot, without self-contradiction.

"But it is objected that this is not a *complete* education, since it does not include religion. Who ever said that it was so? No system of education is absolutely complete. Neither the pulpit nor the Sabbath school furnishes such a system, since neither teaches all which it is desirable to know. Education involves a division of labor, and no system undertakes to

comprehend every possible kind of knowledge. The incompleteness of the secular education of the public school is no objection to it that would not equally apply to that of the sanctuary or the theological seminary. Though not complete, it is certainly good as far as it goes.

"Again, it is said that such a system, by not including religious teaching, omits the most important part of education. This is true, and equally true of every system that does not include religion. The transcendent importance of religious education does not prove it to be either necessary or wise to combine such education at the same time and by the same agency with every other process of educational culture. A young man may very properly study bookkeeping, without at the same time studying the catechism, or going through the discipline of the Sabbath school. We see no just objection to an arrangement which assigns the teaching of arithmetic to the schoolmaster, and leaves religious teaching to other agencies.

"The schoolmaster has not the entire charge of the children, and certainly does not undertake their *entire* education. The fact that he teaches what is secular does not preclude others from teaching what is distinctively religious; and it does not in any way imply that the latter, our whole existence being taken into the account, is not far more important than the former. The importance of things spiritual, as compared with things temporal, supplies no reason why the State should give its attention to the former in the public school system that would not be equally pertinent to show that it should give the same attention in the church system. This, indeed, is one of the old arguments for church and state which the people of this country profess to have outgrown. It may be . . . that things spiritual lie outside of State jurisdiction altogether; and that civil government is not an agency fitted to take charge of them, and cannot do so without more evil than benefit. And if this be a fact, then the importance of these things does not bring them within the purview of the State at all.

"We are again told that a school system confined to secular instruction is 'godless' and 'irreligious.' There is a sense in which this is true, and in that sense there is nothing in the objection. A merchant makes out a bill for the sale of goods to his customer, with not a word about religion in it. That is a 'godless' bill, in the negative sense. . . . A boy works eight hours per day in a factory, in which no religious instruction is given. That is a 'godless' factory. So a child goes to the public school, and while there is exclusively occupied with secular branches, and not religious studies at all. That is a 'godless' school in the same and in no other sense.

"The impression, however, meant to be conveyed by the terms 'godless' and 'irreligious,' when applied to the secular public school, is

that the school is *antireligious*, and must be so unless it makes religious teaching one of its functions. In this sense the statement is utterly and absolutely false, unless the religion had in view be of a kind that will not stand the test of popular enlightenment; and, if so, the sooner the world gets rid of it the better. So far from being hostile to *true* religion, the secular culture which the child gains in the public school, the power to read and understand the meaning of words, the discipline of the intellectual faculties, the increased grasp and activity of mind, and the moral habits there acquired, not only place no impediment in the way of religious teaching, but actually prepare the mind for it, by supplying important conditions, if intelligence is favorable to religion. . . .

"Those who are suspicious that an educational system which simply does *not* teach religion, but for sufficient reasons leaves it to be taught elsewhere, is and must be hostile to religion, pay a very poor compliment to the thing they are so anxious to preserve."

What a blessing it would be if every minister in the land had as clear-cut conceptions of the duties of the State and its limitations as Dr. Spear has here shown.

H. H. V.

Maine Seeks Liberal Sunday Law

THE legislature of Maine passed a law granting local option to municipalities and local communities, allowing the municipal officers or town meetings to pass ordinances permitting "any outdoor recreation or competitive amateur sport or game . . . on Sundays."

Representative Eldridge, author of the bill, declared the "present system breeds disrespect for law," and that his measure "merely aimed to legalize something which is already being done."

"If you are not going to enforce the law, why not repeal it?" he asked.

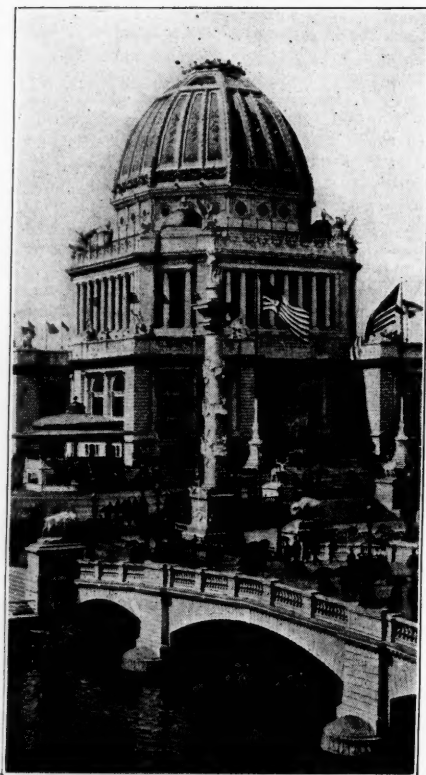
The only opposition to the bill came from religious leaders, and was based "on religious grounds."

Representative Walker, who favored the passage of the bill, said:

"I don't believe we can legislate on conscientious questions. We might just as well pass a law to make people go to church on Sunday, and if they didn't, send a truant officer after them."

(Concluded on page 93)

Sunday Closing Controversy



Administration Building, 1893
World's Columbian Exposition, Chicago

THE attempt to close the gates of the World's Columbian Exposition on Sunday in 1893 provoked one of the greatest controversies over Sunday laws and Sunday observance ever recorded in our history. It "swept over the country and through the halls of Congress."

Mr. H. N. Higinbotham, president of the Exposition, in a brief presented to the Superior Court of Cook County, stated "the question of whether the Exposition ought to be opened or not on Sunday was widely discussed, not only in the city of Chicago, but in nearly all portions of the United States."

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of the
World's Columbian
Exposition of 1893

□

By Our Mid-Western
Correspondent

This campaign to close the Exposition on a religious day was not without its rewards. It brought forcibly to the attention of many citizens the folly of attempting to force a religious dogma upon the people by a civil law. And others were surprised, no doubt, to learn that Sunday observance is merely a human institution, without any sanction of the Holy Scriptures.

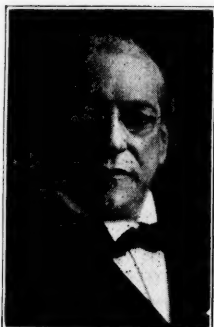
"Toleration in religion the best fruit of the last four centuries," was written on one of the water gates of the Exposition. In commenting upon this expression, Dr. Eliot, president of Harvard University, said:

"Toleration in religion is absolutely the best fruit of all the struggles, labors, and sorrows of the civilized nations during the last four centuries."—*American Contributions to Civilization*, p. 47.

While toleration is a long and important step away from religious persecution, in principle it is far from religious liberty, which belongs to every man, not as a limited, temporary, grudgingly granted permission, but as an absolute right.

Hon. Chauncey M. Depew, in his address at the dedication ceremonies of the World's Fair, expressed it correctly. Referring to the Declaration of Independence, with its proclamation of equality, he said:

LIBERTY, 1933



© H. A. E.

The plea was made that Sunday prohibition would be in the interests of the laboring man. The late Samuel Gompers denied this claim. He lived within 100 miles of the Centennial Exposition held in Philadelphia in 1876, but was unable to see it because it was closed on Sunday. He said:

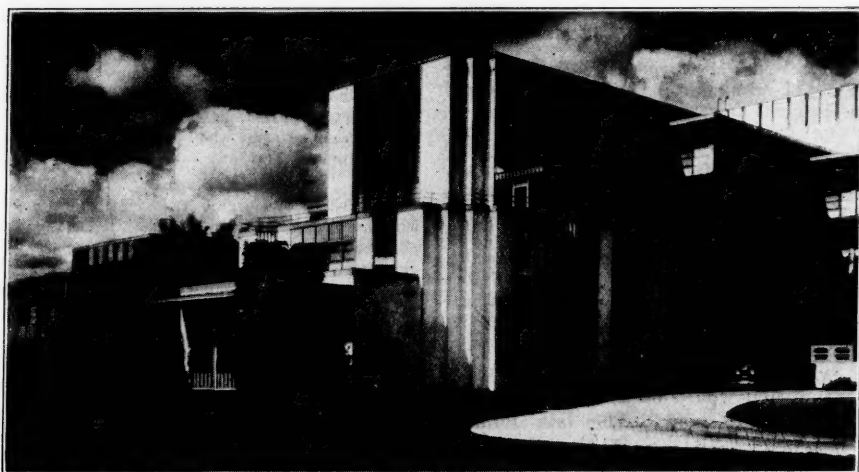
"If men and women desire to kneel at the altar of their God, no one denies them that right. I would, with my whole effort, my whole life, with every power I possess, raise my voice and do what I could to insure the right of every man, woman, and child to pray and preach, and preach and pray, as long and as steadily as they desire. But I do say this, on the other hand, that the right to do everything which is not wrong and not against the laws of our country and the morals of our people, should be allowed us."

"It swept away in a single sentence kings and nobles, peers and prelates. . . . Every citizen can worship God according to his belief and conscience, or he may neither reverence nor recognize the Almighty."

The Columbian Exposition was erected to reveal the advancement in material things since the discovery of America. When the religious reformers sought to close it on Sunday, in the interests of their own particular ideas, it placed the Fair officials in an embarrassing position. For such a campaign exposed principles and policies belonging to the Dark Ages, when men were persecuted because of their beliefs. It demonstrated, not progression, but retrogression.

The Chicago city council adopted a Memorial against Sunday closing and sent it to our national Congress by the city clerk. The council took issue with the "sabbatarians," and declared that "this Exposition is not teaching our religion to other nations."—*"Council Proceedings," 1892, p. 1601.*

"We believe that the gates of the Exposition ought to be kept open," continued the Memorial, "as being in keeping with the 400 years of human progress which this grand Exposition illustrates and typifies. We believe that the United States, as a Christian country, should open these gates on Sunday as a recognition of the fact that in no branch of human interest or thought has there been more progress during that 400 years of time than in the Christian church."—*Ibid.*



Administration Building, 1933—Century of Progress World's Fair in Chicago

The mayor of Chicago, Mr. Hempsted W. Washburne, made a special trip to Washington to present his protest to Congress against this desecration of the Constitution. His arguments were exceptionally good, and showed a thorough knowledge of religious liberty principles:

"The Constitution of the United States, framed by those whose wisdom has never been questioned, provided in Article I [Bill of Rights] that Congress shall make no law respecting an establishment of religion. The fathers of the Constitution appreciated too well the evils and abuses that might result from permitting the Congress of the United States to legislate at all upon matters of religion or the observance thereof, or upon any question involving the religious beliefs of our people. They were descendants of a heroic people who had been persecuted and driven from the lands of their birth by such abuses of the functions of government.

"Our Constitution contemplates that so far as Federal legislation is concerned, religious beliefs and religious observances, as well with respect to days as to doctrines, shall be left untouched. You might as well impose upon the management of the Exposition the condition that a Jew or a Hindu or Buddhist or heathen should be barred from its gates, as to say that the day of the week which is regarded as the Sabbath by a few of the people who are asked to participate should be observed. One is no less a violation of the spirit of the prohibition of the Constitution with respect to the powers of Congress than the other.

"If Congress is prohibited by the Constitution from making any law respecting an establishment of religion—if it could not properly impose conditions as to religious creeds or to the observance of religious rites or ceremonies—it is, I submit, equally improper in any law to designate any day, season, or time, and to compel its observance in obedience to any religion or creed. This would clearly establish a religion by Federal law. And when you are asked to compel this Fair to close upon the first day of every week in order to recognize the Christian sabbath, in obedience to that religion you are asked to do that which plainly violates the spirit of the Constitution of the United States. This would then be done in national obedience to and national observance of a religion."—*Chicago Tribune*, Jan. 11, 1893.

The plea was made that such a Sunday prohibition would be in the interests of the laboring man. The late Samuel Gompers, president of the American Federation of Labor, denied this claim. He said that he lived within 100 miles

of the Centennial Exposition held in Philadelphia in 1876. He was unable to see this Exposition because it was closed on Sunday. He contended that all men should be free to engage in any legitimate action on any day of the week. He said:

"If men and women desire to kneel at the altar of their God, no one denies them that right. I would, with my whole effort, my whole life, with every power I possess, raise my voice and do what I could to insure the right of every man, woman, and child to pray and preach, and preach and pray, as long and as steadily as they desire. But I do say this, on the other hand, that the right to do everything which is not wrong and not against the laws of our country and the morals of our people, should be allowed us."—*Chicago Herald*, Jan. 11, 1893.

Speaking for the leading woman's club of Chicago, Mrs. Marion Washburne, its president, made some valuable observations regarding the religious phase of the hearing and the danger of listening to certain organized minorities who are trying to foist their religious opinions upon the people by Congress, contrary to the letter and spirit of the fundamental law:

"Some of them seemed to think this was a Sunday school convention, and exhorted accordingly, not hesitating to call down upon the patient committeemen vengeance from on high if special sectarian views did not entirely rule the legislature. . . .

"The great mass of liberal and thoughtful people all over the country are not so organized that they can act as one before such a committee, but their numbers may be—they are—even greater than those contained in the societies here represented. They are simply quiet and tolerant citizens, who are for the most part rather amused that any one should be so intolerant.

"But while this organization of the evangelical churches gives them an advantage in being able to present petitions and speakers, it is, gentlemen, a danger. Our forefathers foresaw the danger of an organized minority coercing an unorganized majority, and forbade this country a standing army. There is as much danger, or, as history of religious persecution shows, more danger in the interference of an organized body of churchmen in the affairs of the State than in a standing army. Nothing can so undermine the liberty of a people as the belief that there is but one road to salvation, which all must walk, if not willingly, then by force."—*Chicago Herald*, Jan. 12, 1893.

In defending the Sunday law propaganda, it was contended that this is a Christian nation, and therefore Christian institutions must be given special protection. The same idea is often heard today when religionists wish to secure civil backing for their moral opinions. Some pertinent rebuttals were heard. The editor of the *American Law Review* wrote:

"If Christianity is part of the law of the land, what kind of Christianity is it? Is it Catholic Christianity, or Presbyterian Christianity, or Unitarian Christianity, or Mormon Christianity? Clearly, if Christianity is part of the common law of England, it is Church of England Christianity; but would any religious zealot have the hardihood to assert that the Church of England Christianity is a part of the common law of the United States?—By no means. The Christianity which is a part of the common law of the United States, is, in the assumption of each sectary, MY particular doxy."—*27 A. L. R.*, 573.

The late distinguished leader of women, Susan B. Anthony, in an interview, expressed her mind in no uncertain manner:

"They had no right to say that the gates should be closed on that day. The Constitution of the United States directly forbids the interference with the religions of the country. When they undertake to forbid the opening on a Christian Sunday, why not on a Jewish Sunday? The people of the United States ought not to submit to that interference."—*Chicago Tribune*, May 28, 1893.

Many similar testimonies might be given, indicating that people in general are not in sympathy with blue law legislation. One more from the well-known evangelist, Dwight L. Moody, will suffice. When asked his opinion on attempting to force people to observe Sunday by closing the Exposition, he said:

"Let each man decide for himself. You can't force a man to be good. You can't force people to observe the Sabbath. It would prove to be a boomerang."—*Id.*, May 14, 1893.

When the question was finally settled by a decision of the United States Circuit Court of Appeals in favor of Sunday opening, a United States Congressman expressed himself in these strong words:

"With all due respect to the sabbath and to

those who have advocated the closing of the Fair on that day, it is the *greatest question settled since the surrender at Appomattox*. It is a victory for personal liberty over bigotry."—*Chicago Herald*, June 18, 1893.

We hope that no efforts will be made to close the coming Century of Progress celebration on Sunday. If there is such a campaign inaugurated, its promoters will discover that this nation is not in harmony with such principles, as they proved in 1893.

Inconsistency of Sunday Laws

THE *Toronto Globe*, of May 9, informs us that professional baseball players may play for money in Montreal and Quebec on Sunday, but that it is against the law for an oil tanker to unload its cargo on Sunday, and thereby save \$4,000 in demurrage. The former minister of justice requested the Dominion Parliament so to amend the Lord's Day Act of Canada that the Toronto Oil Company might be permitted to save this loss of \$4,000 a day by merely attaching a coupling to an oil ship pipe line which was ready to discharge its cargo.

When the proposed amendment to the Lord's Day Act was considered in Parliament, Hon. Ernest Lapointe, a member from Quebec, objected, declaring heavy demurrage loss did not justify any change in the Sunday law. Hon. E. B. Ryckman, in charge of the measure, said in reply: "I am told that the Sabbath was made for man, and I believe that if such a situation was a personal one to any member of Parliament, he would be against incurring a loss of thousands of dollars when it could be saved by attaching a coupling to a pipe line. I hope the Quebec member will forgive me, but down in his very city, on a Sunday afternoon, I saw twenty hired ball players occupying a whole block," playing baseball.

One of the most absurd peculiarities about Sunday laws and their advocates is their inconsistency. It well matches their bigotry and intolerant spirit. It

is a wonder that they do not petition the Almighty to suspend the law of gravitation on Sunday, so the water may not flow through the pipe lines to the cities, and thus prevent the public from watering their lawns on Sunday. C. S. L.



Prefer Beer Above Gasoline on Sunday

THE State legislature of Tennessee several years ago enacted a law prohibiting the sale of gasoline on Sunday. The Sunday blue law of Tennessee is extremely drastic. It prohibits all work and business of every kind on Sunday, except works of necessity and charity. It permits no diversion or recreation of any kind. It is purely a religious law, binding the consciences of all men.

Senator John R. Todd, Jr., introduced a bill in the Senate to repeal the State Sunday blue law against the sale of gasoline on Sunday, and it twice failed of passage for want of a constitutional majority. Senator Todd said, "If this Senate won't permit people to sell gasoline on Sunday, I know it is not going to permit beer to be sold." In reply, Walter M. Haynes, who introduced the beer legislation bill, said that "it would pass by a comfortable majority."

It is thus very evident from the legislative outlook that the Tennessee legislators prefer the sale of beer to the sale of gasoline on Sunday. Perhaps they are confident that beer and gasoline do not mix so well on Sunday as on other days of the week.

But why attempt to make gasoline pious on Sunday instead of beer? The hypocrisy of the whole thing is that these legislators pretend to be very religious in outward appearance by forbidding the sale of gasoline on Sunday, while at the same time they are catering to the popular demand for beer. Christ pronounced a woe upon the scribes and Pharisees for paying "tithe of mint and anise and cummin," and omitting "the weightier matters of the law." He called

them "blind guides, which strain at a gnat, and swallow a camel," while making "clean the outside of the cup and of the platter, but within they are full of extortion and excess." And continuing to make a direct application, Christ said: "Even so ye also outwardly appear righteous unto men, but within ye are full of hypocrisy and iniquity."

If there was anything that the Lord of heaven abhorred, it was a legal religion which led to the persecution of those who were more righteous than the legalists. Sunday laws during the medieval and Puritan times were enforced under the death penalty, and there were many saints of God who suffered a martyr's death rather than surrender their religious convictions in obedience to a religious law that contravened their faith.

The Jews in Christ's day sought to kill Him because He did not observe the Sabbath according to their notions. Christ exposed their hypocrisy by saying: "Woe unto you, scribes and Pharisees, hypocrites! because ye build the tombs of the prophets, and garnish the sepulchers of the righteous, and say, If we had been in the days of our fathers, we would not have been partakers with them in the blood of the prophets." He reminded them of the fact that they were attempting to kill Him because He wrought works of mercy on the Sabbath day. "Wherefore ye be witnesses unto yourselves, that ye are the children of them which killed the prophets. Fill ye up then the measure of your fathers, . . . that upon you may come all the righteous blood shed upon the earth, from the blood of righteous Abel unto the blood of Zacharias, . . . whom ye slew between the temple and the altar."

Another bill was introduced in the Tennessee Legislature to allow the operation of motion picture theaters on Sunday with 20 per cent of the net proceeds to go to aid the unemployed or for charitable purposes. The judiciary committee sent an invitation to the religious leaders and ministers to present their views before the committee. Just why a State legislative committee should in-

vite the ministers of the gospel to participate in the making or repeal of a civil law, is not quite clear in our mind. Why does not the judiciary committee send out an invitation to the clergymen when they consider the proposition whether the tariff law should be modified or repealed, or any other civil law? We have an idea that the legislators of Tennessee realize that the Sunday blue law of their State is a strictly religious law, imposed upon the public at the instigation of a certain group of clergymen, and that they are still under the domination of these clergymen.

At any rate, Livingston Mays, of the Lord's Day Alliance, responded to the invitation, and lined up the clergymen of the several religious denominations affiliated with the Lord's Day Alliance, in opposition to any modification of the existing Sunday blue law of Tennessee. The Rev. I. W. Gernert, of the First Lutheran church, was the first speaker. He opposed the operation of theaters on Sunday, even for charitable purpose, because they would enter into competition with church attendance on Sunday, and because, as he said, "it was an invasion of the priceless heritage of attending churches at proper hours," and an attempt "to commercialize the Lord's day."

According to the same logic of reasoning, the theaters have a right to come before the State legislature and request it to pass a law prohibiting all churches from holding any services on the other six days of the week. If the church has a right to secure a monopoly of all activities on Sunday under a State law, why should the legislature not grant a similar monopoly to the theater on the other six days, and forbid the church to enter into competition with the theater? Reverend Mays, the Lord's Day Alliance representative, a former Baptist minister, forgot his Baptist principles so far that he sustained the present Sunday law solely on a religious basis, and virtually supported a State religion in principle.

Dr. W. H. Rollins, of the United Brethren church, said if "shows are

permitted on Sunday, it affects the churches," and that the State should not "permit such interference." But what about the churches which worship on Saturday? Should not the State protect all churches alike? If so, it would have to close the theater on Saturday as well. But those who worship on Saturday are not asking the legislature to close the theater on Saturday. They evidently control their own church members without requesting the State to enforce their church discipline.

There were three Presbyterian ministers who requested the legislators "to preserve the sanctity of the sabbath" by law, and to prevent people from "commercializing the sabbath day." If this is not legislating in behalf of the promotion of the religion of certain Christian sects, pray tell us what it is. If it is wrong on a civil basis to commercialize Sunday, then it must be wrong to carry on commercial work on every day, and commercialism should be prohibited on every day of the week. Commercialism may be a sin on the Sabbath day according to the Scriptures; but unbelief, evil surmising, and covetousness are all sins, according to the Bible and the standards of religion. If we are justified in enforcing one divine obligation on the basis of sin, then what is to hinder the State from enforcing every religious obligation under the penal codes? We agree that the Sabbath day should be observed by everybody as divinely commanded, but we do not agree with the methods and means advocated by these political and militant preachers to secure such observance.

C. S. L.

■ ■ ■
"THE smallest and mildest act of religious intolerance contains the whole principle of intolerance, and its justification is therefore just as vigilantly to be opposed as the greatest act of oppression would be. The greatest things are not always the most dangerous. The little thing is often capable of doing more harm than something of ponderous size."

Definition of "Blue Laws"

BY S. H. CARNAHAN

WEBSTER'S New International Dictionary, in defining "blue laws" says this:

"Certain laws of extreme rigor alleged by Rev. Samuel A. Peters, in his 'General History of Connecticut,' to have been enacted in the early days of the New Haven colony; hence, any puritanical laws. Formerly these laws were supposed to have been mostly maliciously invented by Peters, but nearly all of them have now been found in the New Haven statutes or in the works of one Neal, an earlier writer than Peters. See W. F. Prince's 'An Examination of Peters's Blue Laws.'"

Mr. Prince was a prominent New York attorney employed by the American Historical Society to examine the early statutes of New Haven and Connecticut, and ascertain whether the Peters code of New Haven "blue laws" were an invention or not. The American Historical Society published the findings of Mr. Prince, and as Webster's New International Dictionary says, it was found that Reverend Peters had not invented these "blue laws," but practically every one of these laws in the Peters code was found in another work compiled by Mr. Neal prior to Peters's day, and these blue laws were all found in the earlier statutes of New Haven and Connecticut, with only two exceptions, and these exceptions have since been found in judicial decisions and interpretations based on the existing statutes of Connecticut of those early times.

Today the term "blue law" is generally applied to any law one does not like which affects one's personal habits.

Webster's Dictionary further defines the word "blue" as "low in spirits;" "to feel blue." "Suited to produce low spirits; gloomy in prospect, as things looked blue." "Severe or overstrict in morals; gloomy, as blue and sour religionists; suiting one who is overstrict in morals; inculcating an impracticable, severe, or gloomy morality, as blue laws."

For the wrong and inconsistent course taken by the early Puritans who fled

from religious persecution in Europe and founded a new government in America based on religious intolerance, the historian Ridpath says: "The only excuse that can be found for the gross inconsistency and injustice of such legislation is that bigotry was the vice of the age rather than of the Puritans."

In every colony and in every country where the church and state were united, the established religion utilized the state to exercise the power of intolerance toward all dissenting sects; or else they were merely tolerated, but not allowed to enjoy all the privileges and immunities granted to those of the state church. For years there have been blue Sunday laws—so-called "blue Sabbath laws"—wherein extremists have placed many man-made restrictions in connection with ordinary worship on the first day of the week, until it was a real burden even to observe the day as a day of rest, hence so distressing as to give men the blues, so to speak.

Back in the days of Christ, many of the Pharisees, scribes, and lawyers of that time had laden the real Sabbath of the Lord with so many man-made ideas or traditions that they became burdens grievous to be borne, thus were verily blue Sabbath laws.

Christ, the Son of God, came to this world to live as the Son of man in harmony with the moral law of heaven, as an example of how mankind should observe the law and the Sabbath, of which He declared Himself Lord. Mark 2:27, 28. He had observed these in the beginning, and made them for man, as may be proved by the Holy Scriptures. He, the King of kings and Lord of lords, was constantly indicted by the rulers of church and state—puny men—for His manner of observing the Sabbath, although He observed the same day of the week that those professed high church rulers pretended to observe.

The Jews had heaped more than 450 man-made restrictions on top of the fourth commandment, making the Sabbath day extremely burdensome. Christ swept these human restrictions aside,

and showed them how He intended the Sabbath day to be observed, by ministering unto others in their need and doing the works of God on that day, instead of their own works. God never intended that the Sabbath day should be made a day of idleness and of gloom, but a day of holy delight in doing good to others than ourselves. It was not to be a day of restrictions invented by man and im-

posed by man to bind the conscience of man. It was a day consecrated to God and His service, and was therefore called "the Lord's day." It does not belong to Cæsar, and the state authorities should never compel any one to observe it under the penal codes. Spiritual things cannot be enforced by civil law without corrupting religion and stifling the conscience.

Compulsory Attendance at Sunday Shows

ACCORDING to a news item from the *Raton Range*, February 10, 1933, of Raton, New Mexico, Senator Juan A. A. Sedillo, a member of the New Mexico Legislature, introduced a bill requiring "compulsory attendance at Sunday motion picture shows in New Mexico." He claimed that his "bill is just as stupid as a proposed measure to cut out Sunday shows."

In principle of civil law there is no difference between a law that compels a person to go to church on Sunday contrary to his faith and one that compels him to go to a motion picture on Sunday contrary to his wishes. The Puritans of New England compelled everybody to go to church on Sunday, whether he was a church member or not. The lawmakers not only selected the particular day of the week upon which they compelled the people to attend church, but they selected the specific church and religion to which the people were to give their support.

The *LIBERTY* magazine contends that if the church has a right to forbid people to go to theaters on Sunday because Sunday belongs exclusively to the church, which should not be compelled to face competition with the theaters on that day, then the theater has an equal right to forbid their going to the churches on the secular days of the week, because the secular days belong exclusively to secular business, and the theater should not have to face competition

with the churches on secular days. What is sauce for the goose is certainly sauce also for the gander.

If the church has the right to compel all people by civil law to support religion and act religiously, on Sunday, whether they are religious or not, then the theater has the right to compel all people by the same law to support the theater and follow secular custom on secular days, whether they are secular-minded or not.

But it may be argued that the theater is immoral and indecent. If it is, then it ought to be shut up on seven days of the week. What is immoral and indecent on one day is so on every day. Closing the theater on Sunday does not make the theater pious. Showing an immoral play on Monday does not change its character.

When the State compels Sunday observance by civil law, it is interfering with religious freedom by compelling people to accept a religious dogma under penalty of punishment. When the church sanctions such a plan, it perverts its own divine mission in the world. The church can rightfully use only the power of persuasion and employ moral means of education. The power of love is her ruling principle; and when she resorts to secular force, she becomes an engine of religious tyranny and destruction. The church has suffered more through the legal favors she has received from the state than she has ever profited by them.

C. S. L.

Sunday Law Agitation in California

AN initiative measure has been started in Los Angeles County, California, for the enactment of a Sunday observance law. If 20 per cent of the entire vote cast within Los Angeles County for all candidates for governor of the State at the last preceding general election, sign a petition to forbid certain businesses operating on Sunday, a Sunday closing ordinance will be submitted to a popular referendum at a special election.

The ordinance proposed forbids filling stations to do repair work or greasing on Sunday. Garages are forbidden to do repair work on Sunday, except in case of emergency. Drug stores cannot serve lunches at fountains on Sundays. Vehicles are forbidden to retail articles or commodities for public consumption on Sundays. Milk cannot be sold or delivered on Sundays, unless order has been placed during the week. The proposed ordinance says that "it shall be unlawful for any person, firm, corporation, co-partnership, or association, either domestic or foreign, operating a market, grocery store, fruit stand, bakery shop, meat market, barber shop, beauty shop, dry goods store, or mercantile establishment, to remain open for business . . . on Sunday."

We do not know whether the proponents of this proposed ordinance will succeed in securing the required 20 per cent of the voters to sign this petition or not, but we are quite certain, if the proposition is put up to the electorate in Los Angeles County, that the people will defeat the Sunday law proposal by an overwhelming majority. The last time the people of the State of California voted on a similar proposition on a State-wide referendum, it was defeated by a majority of more than 750,000 votes. Of this majority the voters of Los Angeles County contributed more than their per capita share.

The State of California repudiated its Sunday laws just fifty years ago, and its

citizens have resisted and rejected every proposal to place the Sunday laws back upon the statute books.

If a person wants to rest on Sunday, there is no one in the world that can hinder him from resting. If he does not want to rest, that is his own business. But there are some persons who are not satisfied unless they can lord it over others. The only way you can take their self-conceit and self-assertiveness out of them is to allow them to run the gantlet and get a good drubbing by a popular referendum. Let them place this proposed Sunday law on the referendum, and see what will happen to it on election day. We predict that the common sense of the citizens of Los Angeles County will score a splendid victory over fanaticism and meddlesomeness. When other States are repealing their Sunday laws, you can be sure that California will not re-enact her Sunday laws which she repudiated a half-century ago.

C. S. L.

Civil Government's True Objective

HUMAN government has been an uncertain experiment and an attempt to solve a question which as yet has not received a final and correct answer. It is an eternal problem that has baffled the human race and challenged the ingenuity of man. The correct answer will be found when civil government confines its operations and functions to civil affairs only, and attempts to regulate only man's relation with man.

All the mistakes and tragedies of the past have grown out of a commingling of divine and human affairs, and a failure to recognize the independent and absolute sovereignty of God in spiritual matters, and the separate and independent sovereignty of the civil magistrate in temporal affairs.

The American government is the best answer that has yet been given for the correct solution of the problem of human government, but it is not without

its defects. Old traditions are not quickly abandoned, and even our government is still encumbered with a few relics that belong to a dead past. The correct solution will be found wherever the American ideal of a total separation of church and state becomes a reality and a fact in our system of government, instead of a mere fancy or a theory.

C. S. L.

The Blue Laws of Tennessee

WHEN the Sunday blue laws of Tennessee came before the Tennessee Legislature for liberalization, in an attempt to allow the sale of gasoline on Sunday in Nashville, and the exhibition of motion pictures in Memphis on Sunday between certain hours, the Ministerial Associations and the Lord's Day Alliance did all in their power to retain these antiquated religious laws upon the statute books. The *Commercial Appeal*, of Memphis, Tennessee, April 18, published an article by J. M. Boyce on the "Blue Laws," as follows:

"The members of the Memphis Protestant Pastors' Association have again proved to a demonstration that the civil and religious rights of American citizens under both our Federal and State constitutions, find no favor with them, and that when the liberal provisions of said constitutions conflict with their views of what people should be made to do from a religious standpoint, these charters guaranteeing to the individual the rights and freedom of conscience should be—and so far as these pastors can bring it about, shall be—relegated to the ash pile as 'mere scraps of paper.'

"To ask the State to enforce by law upon its citizens the observance of the true and only weekly Bible Lord's day, or Sabbath, the seventh day, commonly called Saturday, would be un-American, un-Christian, and intolerable; but to ask the State to enforce upon its citizens by law the observance of the man-made, counterfeit sabbath—the first day of the week, commonly called Sunday—is nothing less, Mr. Editor, than unthinkable and diabolical.

"I cannot understand how representatives of so-called Protestant church organizations claiming 'the Bible and the Bible only, as their rule of faith and practice,' can have the audacity to ask the legislative representatives of a free people in a free country to permit the retention upon the pages of their statute books the old

antiquated, Dark Age relic of the oldest heathenism of which we have any record (Eze. 8: 15, 16) in the form of Sunday laws.

"Article I, Section 3, of the Constitution of Tennessee, plainly declares 'that all men have a natural and inalienable right to worship Almighty God according to the dictates of their own conscience. . . . That no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given, by law, to any religious establishment or mode of worship.'

"Article XI, Section 16, of the Constitution of Tennessee, further declares that the above provision of the Bill of Rights 'shall never be violated on any pretense whatever; and to guard against transgression of the high powers we have delegated, we declare that everything in the Bill of Rights contained is excepted out of the general powers of the government, and shall forever remain inviolate.'

"In the face of the undeniable fact that all Sunday laws are religious laws, and for this reason do unquestionably contravene the rights of conscience, as well as give 'preference' by law to a 'religious establishment or mode of worship,' they are manifestly unconstitutional—directly and defiantly conflicting with the provisions of both our Federal and State constitutions—and are, therefore, null and void, and should be immediately repealed by our legislature. . . . I know of no greater service which our legislators could possibly render the people of Tennessee, and the cause of God, than to bury these anti-Christian Sunday laws beneath the clouds of oblivion by repealing them.

"Let's wipe the stain of Sunday laws from the brow of Tennessee; and, incidentally, turn the bigots out."

In view of the fact that the constitution of Tennessee expressly states "that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given, by law, to any religious establishment, or mode of worship," it is difficult to understand how the State legislature could ever require the compulsory observance of Sunday under the penal codes. It is a "mode of worship," and "interferes with the rights of conscience" of all dissenters.

Under this drastic Sunday observance law scores of seventh-day Sabbatarians in Tennessee have been imprisoned and forced to work in the chain gang for no other crime than that they worshiped on the seventh day of the week and refused to recognize Sunday as a sacred day. It

evidently means that the constitutional guaranties of the free and unmolested exercise of the conscience in religious matters are vague and empty phrases in the constitution, and that the statutes enacted by the legislature are regarded as paramount to the constitution. Unless these religious statutes are repealed, which are in open conflict with the constitution of Tennessee, the constitution will ultimately be nullified and destroyed.

Sunday Referendum in State of Pennsylvania

(Concluded from page 75)

Day Alliance, Dr. William Forney, corraled a number of militant clergymen and Mrs. Elizabeth Ferguson, of the State W. C. T. U., who argued strenuously in favor of the retention of the drastic Sunday blue law of the State, and even opposed any modification of that antiquated law which permits nothing on Sunday that is not religious in character.

Among those who spoke in favor of the repeal of this un-American and anti-Christian law, was Dr. Samuel Harden Church, president of the Carnegie Institute of Pittsburgh. Dr. Church said:

"Repeal of the Sunday blue laws of 1794 goes far beyond the scope of social or religious conviction, and is concerned with the fundamental principles of the Republic."

Dr. Church advocated, not only the passage of the bill, but the "tearing out by their roots" of "other oppressive Sunday restrictions." In making his attack upon the Lord's Day Alliance, which has been the chief advocate of the Sunday blue laws, Dr. Church said that the Alliance is composed mainly of "rich men who ride in their autos, play golf, and see movie pictures at their clubs—all on Sunday—and is keeping the common people from enjoying these pastimes."

Dr. Church said that when he previously made that statement, it was challenged by the head of the alliance, but

when he asked for a list of 100 largest contributors to the blue law fund, the list was refused. Dr. Church is further quoted by the *Pittsburgh Press*:

"Government should be forever divorced from religion," he declared, in quoting the statement of George Washington, made during his second administration in 1796, that "the government of the United States is not in any sense founded on the Christian religion."

"Washington," Dr. Church said, "as a student of history, was entirely familiar with the suffering and persecution which had come upon individuals and nations because of religious dictation in the affairs of the state."

"Dr. Church said that in California he was informed by a Presbyterian minister that there were no Sunday laws in the State, because the California Supreme Court had held them to be in contravention of the constitution, yet that church attendance in the State relative to population was larger than in any other State."

"When we learn," he continued, "from the United States census that 80,000,000 of our people have no connection whatever with any church organization, does it not become an obligation of good citizenship for those of us who are churchgoing people to refrain from the enactment or preservation of laws which are based upon our own view of religion as related to human conduct?"

"Dr. Church pointed out that the same law which permitted him to play golf on Sunday afternoon was invoked by the Lord's Day Alliance to break up a ball game in a country lot which he passed in his auto en route to the golf course."

"He also declared that a humble citizen had been arrested and fined \$4 for chopping wood on Sunday to prepare a meal, 'while every minister in the State of Pennsylvania either personally or by hired help, does in effect precisely the same thing every Sunday without punishment.'"

A great victory for religious freedom and human rights was scored when Governor Pinchot signed the bill which grants self-determination to the people of Pennsylvania on the Sunday law issue. It is to be deplored that the people were not given the right to pronounce judgment upon the entire Sunday law of 1794. But the battle for human rights and religious freedom is not gained by a single bound. The light of liberty is dawning in Pennsylvania, and the people, if given an opportunity, will ultimately secure their own rights.

C. S. L.

A Vital Difference Between Civil and Religious Laws

BY W. S. RITCHIE

CIVIL law is connected with that table of the moral law given by God which relates to man's duty to man. With the other table, relating to man's duty to God, it can have nothing to do.

But civil government does not enforce the human relations table of the law in God's stead, or as the law of God. It cannot go into the hidden recesses of the heart, where even this table of the law may be broken in thought as well as in outward act. (See Matt. 5:28.) It judges outward actions only. It judges civility, not religion. It does not judge who is acceptable to God, but who is just with men. It does not punish sin in either table of the law, but crime against mankind only. It does not appeal to the conscience and love of truth, as does religion. Civil government appeals to the fear of punishment, an entirely different incentive than that used by true religion. There is no intimation in the Scriptures that the judgments of human courts are taken account of in God's final judgment of men.

Jesus when here on earth said that in the realm of religion love was the fulfilling of both tables of the law or duty to both God and man, and that on love hung all the law and the prophets, or the Christian religion. (See Matt. 22:36-40.) To this agree all the Scriptures. Paul said, "Without faith [an essential part of love] it is impossible to please God," and that "love is the fulfilling of the law." But civil government can do nothing toward inducing faith and love in people, and can therefore do nothing toward causing them to keep either table of the law from a religious standpoint.

Civil government is an entirely different thing from religion. Men of different religions, and of no religion, have in times past united harmoniously in maintaining order in society. It is when civil government has attempted to regulate

religious duties that sorrows and bloodshed have stained the pages of history.

May we not well conclude that the religious bodies which are now clamoring for religious legislation, do not understand the nature of true religion, that they have not learned from the experiences of the past, and would be unsafe to trust with the reins of civil government?



Catholic Priest Opposes Sunday Law

THE Rev. Thomas J. Whelan, rector of the Holy Name Church, Fifth and Vine Streets, Camden, New Jersey, according to the *Courier-Post*, a newspaper of Camden, April 11, favored the repeal of the Sunday laws of New Jersey. This Catholic clergyman stated that he had traveled through the State of California, which has had no Sunday laws for more than fifty years, and that he could testify that "Sunday sports do not hurt church attendance." Church statistics show that more people attend church on Sunday in California than in any other State in the Union, in proportion to its population. "People who want to go to church anywhere will go," said Father Whelan, "and Sunday sports won't keep them home."

Sunday laws have done more harm than good. The person who is religiously inclined will observe his Sabbath day, whether he is Jew, Christian, or Mohammedan, or whether there is a law on the subject or not. The religious person needs no law, and the person who makes no profession of religion should not be compelled to act as if he were religious when he is not. Such a course makes either martyrs or hypocrites. The State cannot afford to make martyrs, and the church should not. As for hypocrites, we have enough of them by natural inclination; we need not make any more by law.

Since the New Jersey Legislature has given the municipalities in the State an

opportunity to repeal or liberalize its Sunday laws on the referendum plan, we expect to see many of the drastic provisions of the blue laws eliminated by popular vote; but this religious issue will never be settled until it is settled right. The only right way is to repeal all the religious laws still existent upon the civil statute books. When this is done, religion will be out of politics, and politics will be kept out of religion. Both the church and the state will then be free and independent, and each will be able to function in its own distinctive field without fear of interference. The church has suffered far more through the legal favors it received from the state, than it ever gained by such an unholy alliance.

C. S. L.

A Religious but Not a Civic Sabbath

(Concluded from page 71)

but the laborer may do any other work he pleases during the rest of his day.) And we are sure no court would penalize any one for Sunday labor, but for the religious significance which clings to Sunday.

Mr. Jones aligns himself with the forces of religious legislation when he says, "When any form of amusement, however, seeks a license for commercial purposes, the State must then deal with it on the basis of its social and economic value, or hurtfulness, to society. If we have a 'civic' holiday on Sunday, then the commercial enterprise which seeks to do business on that day should be required to justify its appeal, on the ground of its contribution to the civic welfare." Why not make this apply to every day? Why permit anything which does not do this? Why forbid on Sunday what is good every other day? There can be no reason but a religious reason. A religious reason has no rightful place in deciding American legislation.

H. H. V.

Massachusetts Bay Colony

Compilation of Its Religious Laws

THE following is taken from the first general letter of the governor and deputy of the New England Company for a Plantation in Massachusetts Bay, to the governor and council for London's Plantation in the Massachusetts Bay in New England, which has been preserved in the oldest volume of records in the Suffolk Registry of Deeds, and bears the date of April 17, 1629, addressed to Captain John Endicott, in Gravesend, in anticipation of the founding of the Massachusetts Bay Colony:

"If, at the arrival of this ship, Mr. Endicott should be departed this life (which God forbid), or should happen to die before the other ships arrive, we authorize you, Mr. Skelton and Mr. Samuel Sharpe, to take care of our affairs, and to govern the people according to order, until further order. And to the end the Sabbath may be celebrated in a religious manner, we appoint, that all that inhabit the plantation, both for the general and particular employments, may surcease their labor every Saturday throughout the year at 3 of the clock in the afternoon, and that they spend the rest of the day in catechising and preparation for the Sabbath as the minister shall direct."—*Massachusetts Bay Records*, Vol. I, p. 395.

The next mention we find in the Massachusetts Bay Colony Records concerning Sunday observance is the General Court Record under the date of March 4, 1635, and reads as follows:

"WHEREAS, Complaint has been made to this Court that divers persons within this jurisdiction do usually absent themselves from church meetings upon the Lord's day, power is therefore given to any two Assistants [court judges] to hear and censure, either by fine or imprisonment (at their discretion), all misdemeanors of that kind committed by any inhabitant within this jurisdiction, provided they exceed not the fine of five shillings for one offense."—*Massachusetts Bay Records*, Vol. I, p. 140.

Only Church Members Freemen

On October 19, 1630, the General Court of Massachusetts Bay Colony laid down the following order, with full consent of the Body Commons, that the qualification of free men who were entitled to hold office and vote is that they must be church members:

"To the end the Body of the Commons may be preserved of honest and good men, it was likewise ordered and agreed that for time to come no man shall be admitted to the freedom of this Body Politic, but such as are members of some of the churches within the limits of the same."—*Massachusetts Bay Records*, Vol. I, p. 87.

Maine Seeks Liberal Sunday Law

(Concluded from page 79)

"It is a cheap, lazy way of attempting to secure results. When the church invokes the policeman to secure results, it has abdicated its place and revealed itself in a state of moral decadence.

"It is none of our business what people do on Sunday, so long as they don't interfere with the rights of other people. We should wash our hands of the whole business, and wipe out the hypocritical legislation on our statute books."

This was a clear-cut and sensible statement. We wish all our legislators could see that all Sunday laws are religious, and therefore should be repealed. To compromise the issue by allowing only sports, but still forbid honorable and legitimate labor and business on Sunday, does not settle the question. The only way to settle a question permanently is to settle it right. The only right way of settling the Sunday law issue is to repeal all the existent Sunday laws, because they are religious laws and should never have been placed on the civil statute books.

We are glad the legislature of Maine is moving in the direction of religious liberty. Half a loaf is better than none.

Thanksgiving Proclamations Opposed as Religious

WHEN the first Thanksgiving proclamation was authorized by Congress in 1789, there was considerable opposition to it in Congress and elsewhere throughout the country. It was opposed as being unconstitutional. Congress was just submitting the first ten amendments to the Constitution for ratification, the first of which denied

Congress the power to enact religious legislation or establish religion by law.

A member of Congress from South Carolina observed during the debate on the proposed Thanksgiving proclamation requesting the people of the United States to return thanks to God for the Federal Constitution just recently adopted, that "it is a religious matter, and as such is proscribed to us." This member from South Carolina further stated that "the House had no business to interfere in a matter which did not concern them. Why should the President direct the people to do what perhaps they have no mind to do?" He held it was a spiritual and religious function with which civil government should have nothing to do, as such spiritual functions should be directed only by the clergy, and not by civil magistrates.

Notwithstanding the opposition, the resolution was passed by the House and concurred in by the Senate. It became a custom for the President to issue such Thanksgiving proclamations annually without further authorization by Congress. However, when Thomas Jefferson became President of the United States, he refused to issue Thanksgiving proclamations, holding that it was a religious function tending toward a union of church and state, and was therefore setting a dangerous precedent. When James Madison succeeded Jefferson as President, he likewise withheld the issuance of Thanksgiving proclamations for the same reasons as did Jefferson. Finally, the Puritan clergy throughout the country succeeded, through their petitions, in stampeding Congress into passing another resolution authorizing President Madison to issue Thanksgiving proclamations, and while Madison vigorously assailed the resolution authorizing him to issue such "religious proclamations," yet he issued them, eliminating as many as possible of the "religious phrases" from his Thanksgiving proclamations. He later wrote a very exhaustive "Treatise" against the propriety of issuing "Ecclesiastical

Proclamations" by civil authority, and against the government's subsidizing chaplains out of the public treasury, and having Congress pay them for "saying prayers."

Thomas Jefferson saw that there was grave danger to American liberties unless all religious laws were swept from the civil statute books and church and state were completely separated, not only in theory but in practice. In his "Notes on Virginia," Query XVII, Jefferson says:

"Besides, the spirit of the times may alter, will alter. Our rulers will become corrupt, our people careless. A single zealot may commence persecution, and better men be his victims. It can never be too often repeated, that the time for fixing every essential right on a legal basis is while our rulers are honest, and ourselves united.

"From the conclusion of this war we shall be going downhill. It will not then be necessary to resort every moment to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion."

The hangovers and religious relics of a dead past are plaguing us today. They cause our courts to resort to fanciful interpretations of law in order to sustain such un-American legislation. Religion by law does not aid the cause of religion one iota, but it does establish dangerous legal precedents, which are destined to do much damage to a righteous cause.

C. S. L.

LIBERTY is one of the choicest gifts that Heaven bestowed upon man, and exceeds in value all the treasures which the earth contains within its bosom, or the sea covers. Liberty, as well as honor, man ought to preserve at the hazard of his life, for without it life is insupportable.—*Cervantes*.

News and Comment

THE State legislature of Wisconsin repealed all the Sunday laws on its statute books, in harmony with a mandate it received from the people on a recent popular referendum.

THE legislature of Minnesota amended its Sunday law, making it legal in the future "to hunt, fish, play, and hold other public sports and exercises on Sunday." All of these things were done on Sundays in spite of the Sunday law.

A BILL was introduced into the Minnesota Legislature, "providing for one day of rest in every seven," in lieu of its present Sunday law. Such a law would place all religious sects on an equality before the civil law and the bar of justice.

THE Supreme Court of the State of Kansas ruled recently that Sunday newspapers are a "necessity." It should have ruled that Sunday laws, which hitherto forbade Sunday newspapers, are wrong in principle because they are religious, and therefore unconstitutional.

THE State legislatures of Pennsylvania, New Jersey, Maine, and Maryland enacted laws granting local option to municipalities to repeal and liberalize their Sunday laws. There are now only seven States in the Union which do not grant local option on this question.

THE legislature of New Hampshire passed a law "to provide one day's rest in seven," in lieu of the old Sunday law. Any person can work on Sunday now in the State of New Hampshire, provided he rests twenty-four consecutive hours during the six days next ensuing. This law aims to protect employees from seven days of work a week.

A REFERENDUM was held in the city of Gloversville, New York, on the question of Sunday movies. Both Protestant and Catholic clergymen joined hands in opposing the motion pictures on Sunday. But in spite of this determined opposition from the clergymen, the citizens of Gloversville voted to permit Sunday movies.

THE police commissioner of Baltimore City took exception to Reverend Davis, the representative of the State Lord's Day Alliance, who charged that crime had greatly increased since Baltimore repealed its Sunday blue laws a year ago. The police commissioner in reply said: "To the best of my knowledge, the Sunday blue laws were repealed in May, 1932, in Baltimore. The crime chart shows a decrease in various crimes from 6 to 7 per cent during 1932." The Lord's Day Alliance as usual sees things in the red when blue laws are repealed.

THREE merchants were fined in West Farms Court and ten were fined in Washington Heights Court, New York City, for keeping their shops open on Sundays. The Globe Theater and Town Hall were fined \$500 each for giving Sunday performances. The motion picture houses in Scarsdale and Catskill, New York, were given the privilege of having Sunday shows. Four painters were arrested and have to stand trial for painting the interior of a store in Jersey City, and a motion picture manager was fined in Mount Holly, New Jersey, for giving a show on Sunday.

MISS FRANCES PERKINS, the Secretary of Labor in Roosevelt's Cabinet, in her first public pronouncement after she was inducted into her new office, said: "While it is foolish for one person to present a program of unemployment relief, one constructive measure would be for all States to adopt the 'one-day-of-rest-in-seven' law. This would put

many thousands back to work." The American Federation of Labor has several times gone on record favoring a "one-day-of-rest-in-seven" law for all employees, without specifying a particular day of rest, leaving each employee to select his own day of rest and the manner of its observance. That is civil and religious liberty.

DALLAS, Texas, has just experienced a heated campaign to force Sunday closing of grocery stores. Numerous grocers were arrested and fined for the crime of selling a pound of coffee, a loaf of bread, a can of tomatoes, or a pound of butter on Sunday. The Dallas Pastors' Association indorsed the closing of these food stores on Sunday. Finally, the district attorney's office "cooled off," and served notice that it did not intend to carry on this sort of campaign any longer against honorable citizens who were selling the necessities of life to the hungry, and that the officials in the district attorney's office were "too busy investigating murder, robbery, and other major criminal offenses." What a pity they did not make this discovery sooner!

FOUR bills aiming to liberalize the Sunday blue laws of Tennessee were introduced into the State legislature, but all four failed of passage. One bill was to permit the sale of gasoline in the city of Nashville on Sundays. Another bill was to allow motion pictures under local option in certain cities. Another bill was to authorize Sunday amusements and sports, with the requirement that a substantial part of the receipts from Sunday amusements was to go to public charity and unemployment. The militant clergymen of Tennessee made vigorous protest to the legislators, and it was evident that the Solons did not dare call their souls their own. They are still held under dominant fear by the clergy. As long as this condition prevails in Tennessee, the Sunday blue laws will remain on the statute books.

BOTH Iowa and Michigan had bills introduced into the State legislatures to repeal all their Sunday laws now existent on the statute books. There were five bills introduced into the New York Legislature to liberalize the present Sunday laws of the State. There were nineteen other States which had similar bills pending in the State legislatures. The sentiment of the country at this time is moving in the direction of the repeal of the Sunday blue laws.

A Baptist Editor's View of Sunday Movies

THE editor of the *Baptist*, official organ of the Northern Baptist Convention, in its issue of May 2, 1931, expresses a very sensible view on Sunday movies and Sunday observance legislation in general, as follows:

"The question of Sunday movies is seldom raised in the United States any more. Sunday, in our great centers, at least, has been thoroughly commercialized, and those who deplore it have accepted it as inevitable. But it is still a live question in Great Britain.

"Recently the Lord's Day Act was invoked to prevent Sunday movies, even when a part of the proceeds was donated to charity. So rigorous a restriction, however, seems not to have appealed even to the religious leaders of the country. At a recent meeting of bishops of the Anglican Church and Free Church leaders, it was proposed that motion picture shows on Sunday be placed under a sort of local option, with the stipulation that there should be no Sunday exhibitions for commercial profit, that the Sunday films should be carefully supervised, and that theater employees should not be required to work seven days in the week.

"Thus is raised the whole vexed question of Lord's day legislation. Laws to protect the leisure of the workers and to make illegal the seven-day week, are a part of every sane social program. The right of men to worship in accord with the dictates of their own consciences, without being unduly annoyed or molested, should be protected. It is gravely to be questioned whether Sunday legislation should ever go farther than that. It should never attempt to impose a religious interpretation of the day upon those who do not hold it. For the religious observance of the day we must depend wholly upon education, and not invoke the arm of the law. Further, if Sunday films

need to be carefully supervised, week-day films need it no less. A vicious film will do as much harm on Monday as on Sunday."

A person can rest physically on one day of the week as well as upon another. Sunday has no advantage over any other day unless it is a religious advantage. But the civil government cannot be just and fair to all its citizens, who observe different days of the week as holy days religiously, if it gives a religious advantage to any sect in civil law. So the only consistent course any government can take in order to give none a religious advantage over others, is simply to specify that all employees shall be guaranteed one day of rest out of every seven. Naturally, every employee will select his religious day for his rest day, and so the civil government places all its citizens on perfect equality before the civil law. To compel any one to observe a religious day for the sake of the protection of the day, is clearly religious legislation.

Sparks From the Editor's Anvil

RELIGION by law transforms theology into a tyrannical sociology.

ALL human sovereigns are by nature despotie, unless restrained by law.

LIBERTY is a fiction with the man who has tasted power and can wield it.

ONE ounce of holy living is worth more than a ton of hollow profession.

You cannot expect people to take to your religion when you attempt to force it upon them.

CHRISTIANITY has lost far more than it ever gained, by accepting legal favors and sanctions from the state.

A PERSON is answerable to God, not for the rightness, but for the uprightness of his decision on a moral question.

REFORMING men by law rests on the false conception that the millennium is going to be ushered into this world through the gateway of politics.

Experiences of David Dare in Bible Research

By Earle Albert Rowell

A very interesting story taken from actual experiences of the author, who was reared in an infidel home and is himself a converted infidel. For a number of years he lectured on the Pacific Coast, following the plan of going into a city, advertising his meetings, inviting all classes of unbelievers to attend, and to interrupt him with questions at any time during the lecture. These he promised to answer.

The chapter headings show the nature of the book:

The Scoffer Scoffs	Christ—the Heart of Prophecy and
Challenge to a Prophecy Contest	History
The Test Begins	Infidels Testify for Christ
How to Disprove the Bible	Confessions of Leading Living
Egypt Confounds the Unbeliever	Infidels
The Daring of Daniel	Converted Skeptics
Every Jew a Miracle	What Has the Skeptic to Offer?
Skeptics Compelled to Witness	What Christianity Has to Offer;
for the Bible	Conversion of the Emersons
Infidel Ruler Tries to Break	
Prophecy	

Told in story form, the book is not heavy reading, but the interest of the reader will increase with every page, and along with the story, the actual proof of the divine authority of the Scriptures becomes more and more evident, so that there is no conclusion but one to which the honest reader can come.

Should be read by every interested inquirer for truth, in these days of skepticism and unbelief. Price, paper covers, 50 cents.

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PUBLISHERS PHOTO SERVICE

Pilgrim Tower at Provincetown, Massachusetts, Erected to Commemorate the Landing There of the Pilgrims Who Came Over on the "Mayflower"

NOVEMBER 11, 1620, the feet of the Pilgrims first touched American soil at what is now Provincetown, Massachusetts, near the tip of Cape Cod. This was twenty-one days before the permanent landing at Plymouth, just across Cape Cod Bay, a little south of west from Provincetown. The monument shown in the picture is 252 feet tall and stands 347 feet above sea level. It was dedicated to the memory of the Pilgrims, August 5, 1910, on which occasion the principal speech was made by

Theodore Roosevelt, then President of the United States.

Provincetown is four and one-half hours from Boston by excursion steamer, and attracts many thousands of people every summer. The town has only one prominent street. Its chief attractions are its history, the quaintness of the speech of its old salts and numerous fishermen, and its ever-present sea breezes with an abundance of invigorating, dust-free, salt air. Every visitor to New England should see Provincetown.

